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RICHARD R. MUCCINO
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OFFICE OF PETITIONS

In re Application of
Stanley E. KATZ et al.
Application No. 09/846,722
Filed: May 1, 2001
Attorney Docket No. CSI1.0-005CIP

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: DECISION GRANTING PETITION
: UNDER 37 CFR 1.137(b)
:

This is a decision on the petition under 37 CFR 1.137(b), filed February 22, 2005, to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed March 23, 2004, which set a shortened statutory period for reply of three (3) months. While a timely reply was filed on June 25, 2004, bearing an executed certificate of mailing dated June 20, 2005, that reply did not prima facie place this application in condition for allowance as indicated by the Advisory Action of February 15, 2005. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained and a Notice of Appeal was not filed. Accordingly, by operation of law, the above-identified application became abandoned on June 24, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Request for Continued Examination (RCE); (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of March 23, 2004 is accepted as having been unintentionally delayed.

The application file is being referred to Technology Center AU 1617.

Telephone inquiries concerning this decision should be directed to Betsy L. Deppe at (571) 272-6052 or in her absence, the undersigned at (571) 272-3217.


Brian Hearn
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy